
COMMONWEALTH OF VIRGINIA



OFFICE OF THE GOVERNOR

Executive Order No. 67 (2013)

Additional Authorization Due to a Severe Weather Event Throughout the Commonwealth

Importance of the Initiative

On October 26, 2012, I verbally declared a state of emergency to exist for the Commonwealth of Virginia in anticipation of impacts from Hurricane Sandy, including damaging high winds, periods of heavy rainfall, and coastal and lowland flooding throughout the Commonwealth. On October 30, 2012, I issued Executive Order 53 in which I memorialized that emergency declaration and directed that appropriate assistance be rendered by agencies of both state and local governments to prepare for potential impacts of the storm, to alleviate any conditions resulting from significant storm events, and to implement recovery and mitigation operations and activities.

The health and general welfare of the citizens of the Commonwealth require that additional state action be taken to help alleviate the conditions caused by this situation. The effects of this storm constitute a natural disaster wherein human life and public and private property are imperiled, as described in § 44-146.16 of the *Code of Virginia*.

In addition to the measures I took pursuant to Executive Order 53, I authorize the following actions to be taken by the Commissioner of the Virginia Marine Resources Commission:

The Marine Resources Commissioner is authorized to act on behalf of the Commission in issuing permits pursuant to Chapter 12 of Title 28.2 of the *Code of Virginia* when, in the judgment of the Commissioner, it is necessary to address immediate health and safety needs and the Commissioner would be unable to convene a meeting of the full Commission in a timely manner. In an effort to address the impacts attributable to this Storm damage on the health, safety and general welfare of the citizens of the Commonwealth, and in an attempt to expedite the return of impacted areas and structures to pre-event conditions insofar as is possible, no permits for encroachments over State-owned submerged lands shall be required to replace previously permitted structures that conform with the following criteria:

1. The pre-existing structure must have been previously authorized and in a serviceable condition prior to the onset of the Storm.
2. The replacement structure must be reconstructed in the same location and in identical or smaller dimensions as the previously permitted structure
3. Reconstruction activities must be initiated prior to September 1, 2013 and completed prior to January 1, 2014.
4. Any property owner(s) seeking to replace a previously permitted structure pursuant to this Executive Order must submit to the Virginia Marine Resources Commission a letter attesting to the foregoing and containing suitable drawings of the proposed replacement structure(s) for comparison purposes.
5. No person may proceed with replacement of a previously permitted structure under the provisions of this Executive Order without written approval from the Commissioner of the Virginia Marine Resources Commission.

This Executive Order shall be effective upon signing and shall remain in full force and effect until January 1, 2014, unless sooner amended or rescinded by further executive order. Termination of the Executive Order is not intended to terminate any federal-type benefits granted or to be granted due to injury or death as a result of service under this Executive Order.

Given under my hand and under the Seal of the Commonwealth of Virginia, this 22nd day of July, 2013.

/s/ Robert F. McDonnell, Governor

Attest:

/s/ Secretary of the Commonwealth